



February 7, 2001

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## SENATE BILL No. 154

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DIGEST OF SB 154 (Updated February 5, 2001 4:45 PM - DI 47)

**Citations Affected:** IC 14-23; IC 25-36.5; noncode.

**Synopsis:** Timber regulation. Establishes the Indiana forestry advisory council to provide recommendations to improve forestry practices and programs in Indiana. Provides that a person who, after an initial violation, knowingly or intentionally commits a subsequent unrelated violation of buying timber without first securing a registration or refusing to allow the inspection of the person's records, commits a Class D felony. Provides for the initial terms of the Indiana forestry advisory council to be staggered. (The introduced version of this bill was prepared by the natural resources study committee.)

**Effective:** July 1, 2001.

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### Lewis, Wheeler, Craycraft, Skillman

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January 8, 2001, read first time and referred to Committee on Rules and Legislative Procedure.

February 6, 2001, amended, reported favorably — Do Pass.

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SB 154—LS 6532/DI 77+



February 7, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 154

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 14-23-10 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2001]:
- 4 **Chapter 10. Indiana Forestry Advisory Council**
- 5 **Sec. 1. As used in this chapter, "council" refers to the Indiana**
- 6 **forestry advisory council established by section 2 of this chapter.**
- 7 **Sec. 2. The Indiana forestry advisory council is established.**
- 8 **Sec. 3. The council consists of eight (8) members as follows:**
- 9 **(1) One (1) individual who is engaged in forest based research**
- 10 **activities.**
- 11 **(2) One (1) individual who owns land containing a private**
- 12 **forest of twenty-five (25) acres or less.**
- 13 **(3) One (1) individual who owns land containing a private**
- 14 **forest of more than twenty-five (25) acres.**
- 15 **(4) One (1) individual who is a supervisor (as defined in**
- 16 **IC 14-8-2-271) of a soil and water conservation district.**
- 17 **(5) One (1) individual who is engaged in the pulp and paper**

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industry.

(6) One (1) individual who represents other forest industries.

(7) One (1) individual who represents forest recreation interests.

(8) One (1) individual who is not involved in the forestry industry other than as a consumer.

Sec. 4. (a) The governor shall appoint members of the council to a term of four (4) years. The governor may remove a member of the council at any time.

(b) A vacancy in the membership of the board shall be filled by appointment by the governor for the unexpired term.

(c) Not more than four (4) members of the council may be members of the same political party.

Sec. 5. (a) The council shall elect from its members a chairperson and vice chairperson each year.

(b) A quorum of the council consists of five (5) members. The affirmative votes of at least five (5) members are required for the council to take any action.

Sec. 6. Each council member shall serve without compensation but is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided under IC 4-13-1-4 and the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

Sec. 7. The department shall provide the council with staff support.

Sec. 8. The council shall:

(1) determine the magnitude, nature, and extent of the state's forestry resources;

(2) determine current and project future demand for timber products, services, and benefits in Indiana;

(3) determine and evaluate the ownership characteristics of the state's forests, the motives for forest ownership, and the success of incentives to stimulate development of forest resources;

(4) determine the economic development and management opportunities that could result from:

(A) improvements in local and regional forest product marketing; and

(B) establishing new or additional wood related businesses in Indiana;

(5) determine soil and water conservation benefits and wildlife



1 habitat enhancement opportunities that can be promoted  
 2 through forest management plans; and  
 3 (6) advise and make recommendations to the director of the  
 4 division of forestry, other state agencies, political  
 5 subdivisions, and private interests concerning forestry  
 6 practices and programs in Indiana.

7 SECTION 2. IC 25-36.5-1-10 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) Except as  
 9 provided in subsection (b), a person who:

- 10 (1) engages in business as a timber buyer without securing a  
 11 registration or in violation of this chapter; or  
 12 (2) refuses to permit inspection of his premises, books, accounts,  
 13 or records as provided in this chapter;

14 commits a Class B misdemeanor.

15 (b) A person who knowingly or intentionally:

- 16 (1) engages in business as a timber buyer without securing a  
 17 registration or in violation of this chapter; or  
 18 (2) refuses to permit inspection of the person's premises,  
 19 books, accounts, or records as provided in this chapter;

20 commits a Class D felony if the person has a prior unrelated  
 21 conviction under subsection (a).

22 SECTION 3. [EFFECTIVE JULY 1, 2001] (a) Notwithstanding  
 23 IC 14-23-10-4(a), as added by this act, the initial appointments of  
 24 the members under IC 14-23-10-3, as added by this act, shall be as  
 25 follows:

- 26 (1) The members appointed under IC 14-23-10-3(1) and  
 27 IC 14-23-10-3(5) for a term of one (1) year.  
 28 (2) The members appointed under IC 14-23-10-3(2) and  
 29 IC 14-23-10-3(6) for a term of two (2) years.  
 30 (3) The members appointed under IC 14-23-10-3(3) and  
 31 IC 14-23-10-3(7) for a term of three (3) years.  
 32 (4) The members appointed under IC 14-23-10-3(4) and  
 33 IC 14-23-10-3(8) for a term of four (4) years.

34 (b) This SECTION expires July 1, 2005.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 154, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 11, delete "small".

Page 1, line 12, after "forest" delete "." and insert "**of twenty-five (25) acres or less.**".

Page 1, line 13, delete "large".

Page 1, line 14, after "forest" delete "." and insert "**of more than twenty-five (25) acres.**".

and when so amended that said bill do pass.

(Reference is to SB 154 as introduced.)

GARTON, Chairperson

Committee Vote: Yeas 7, Nays 0.

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